

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

RICHARD ROE, ET AL.,

Plaintiffs,

v.

PATRICK M. SHANAHAN, ET AL.,

Defendants.

CIVIL ACTION NO. 1:18-cv-01565

**PROPOSED ORDER GRANTING  
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

Upon consideration of Plaintiffs' Motion for a Preliminary Injunction, the Court finds that (1) Plaintiffs have a clear likelihood of success on the merits of their claim(s); (2) Plaintiffs are likely to suffer irreparable harm without a preliminary injunction; (3) the balance of the equities tips in Plaintiffs' favor; and (4) an injunction is in the public interest.

Accordingly, the Court GRANTS the motion and ENJOINS Defendants, until a judgment is entered on the merits of Plaintiffs' claims, from separating Plaintiffs Roe and Voe, as well as any other similarly situated service member subject to separation because of restrictions on deployability due to HIV status. For the same reasons, the Court also ENJOINS Defendants, until a judgment is entered on the merits of Plaintiffs' claims, from restricting Roe and Voe and others similarly situated from being promoted, changing duty station, or re-training on the same terms as other service members living with HIV who are not being separated.

Entered this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
United States District Judge